THE DRAMA,

OR,

Theatrical

POCKET MAGAZINE,

FOR JANUARY, 1825.

"The play, the play's the thing."—HAMLET.

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EMBELLISHED WITH A PORTRAIT OF

MISS FOOTE.

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COBOURG THEATRE.

The long promised production, entitled "*The Reign of Terror*; or, *The Horrors of the French Revolution*," was, Dec. 27, the holiday treat at the Cobourg Theatre. Long before the commencement of the piece, the house was thronged to excess, and it was scarcely possible to gain admittance either to the boxes, pit, or gallery; but the visitors were as noisy as they were numerous, and scarcely a sentence was heard from the beginning to the end of the performance. The most remarkable scenes were, the exterior and interior of the Bastille, the Barrier-gate, and the Guillotine. The most original objects were, the gory head of a Royalist, some twenty dozen caps of liberty, a considerable quantity of crackers, and an antiquated hackney-coach, drawn by "two real horses." The most prominent characters, of course, were Louis of France, Robespierre, Marat, Marie Antoinette, Charlotte Corday, Jacobines, Sans Culottes, Brissotinists, Girondists, and the rabble of the National Guard. If the piece contained a plot, which we believe it does not, we were totally unable to understand it, chiefly because the battles in the pit and gallery were quite as numerous as those upon the stage, and the noise from all parts of the house perfectly sufficient to split the ears of the critic. We saw enough to inform our readers, that the piece describes the escape, the seizure, and the execution of *Louis XVI.*, and *Louis* the King is personated by Lewis the actor; that Mr. HENLEY enacts his chief counsellor, *Malsherbes*; and particularly that *Maximilian Robespierre* is represented by Mr. H. KEMBLE, who, after much noise and butchery, is shot by the populace, when as a comment on the title of the production,—"*anecdotic* melo-drama,"—he puts his hand to his jaw, and surrenders, to share the fate of his innumerable victims. Several characters, that are neither historic nor anecdotic are introduced into the piece. Mr. DAVIDGE is very merry as an English cobler; and Mr. LE CLERCQ as a French barber. Mr. BENGOUGH performs the part of an old royalist soldier; and Mr. COBHAM is his son. Mr. ROWBOTHAM is an aristocrat, entitled the "*Marquis de Grandecœur*; and Miss Watson, his daughter *Emmeline*.

THE DRAMA;

OR,

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No. IV. JANUARY, 1825. Vol. VII.

MISS FOOTE.

What is so fair, so exquisitely good!
Is she not more than painting can express,
Or youthful poet's fancy, when they love!

FAIR PENITENT, III. 1.

Were her eyes in heaven,
They'd through the airy region stream so bright,
That birds would sing and think it were not night.

ROMEO & JULIET, II. 2.

This young lady, (whom circumstances, unfortunately too notorious, have rendered an object of considerable public interest and sympathy,) was born in June, 1798, at Plymouth. Her father, it has been stated, is a descendant of the great SAMUEL FOOTE, the dramatist and performer, and for several years held a commission

in the army, and is still an officer on the half-pay establishment: at the period of Miss FOOTE's birth he was proprietor and manager of the Plymouth Theatre. Her mother's maiden name was HART, the daughter of Mr. CHARLES HART, of London. Mrs. FOOTE's marriage excited the disapprobation of her friends, and the infant MARIA was ushered into the world without a friend on the maternal and but few on the paternal side, who took any interest in her welfare. The quickness of her apprehension during her younger years was, however, witnessed with pleasure by all who knew her, and her education was not neglected: she was in fact when a child the theme of universal admiration, and it was, possibly, from a feeling of parental vanity, in itself excusable, that her father suffered his child to appear somewhat too early before the public gaze, in a school not the most renowned for the morality of its pupils. In July, 1810, she was induced to make her first attempt on the boards, at Plymouth, as *Juliet*, then only twelve years of age, and notwithstanding the timidity natural to an age so tender, she surmounted the difficulties of the undertaking in a way that left no doubt of her becoming a cherished favorite of the muse. Being warmly applauded by the audience, her father was encouraged to adopt such measures as were necessary towards her improvement and success in the line of life which had been marked out for her. In the ensuing year, during a very inclement winter, when some amateurs of the drama resolved to act a series of plays for a charitable purpose, she and her mother consented to perform gratuitously, and the receipts amounting to some hundreds of pounds were distributed among the poor. In assisting the gentlemen on this occasion herself and mother performed several laborious characters, with uncommon approbation. In 1811 she sustained a regular line at her father's theatre, and her *Susan Ashfield*, *Zorayda*, and *Emily Worthington* have been spoken of as masterpieces of the histrionic art. In the course of that year the Corporation of Plymouth set up and patronized a rival theatre, and Mr. FOOTE abandoned a concern where he could anticipate nothing

but ruin, and shortly afterwards set up an hotel at Exeter, where misfortune followed him, and he failed. Mrs. and Miss FOOTE at the closing of the theatre took leave of their friends on their consequent separation from a place where they had never ceased to gain "golden opinions from all sorts of people," in an address that went powerfully home to the hearts and feelings of the audience. Her rising fame having reached the metropolis, she determined to try her talents before "those whose praise is fame," and accordingly, in May, 1814, she made her first appearance at Covent Garden Theatre, and personated *Amanthis*, in "*The Child of Nature*," with such grace and effect that the manager complimented her with an immediate engagement. Young, beautiful, intelligent, refined, yet unsophisticated, she was almost the creature she represented, and failure was impossible. A liberal salary was assigned her, and though the characters which were given her were not of the first rate importance, the managers always considered the announcement of her name as certain of obtaining for them a crowded house. We are, indeed, by no means positive whether the prosperity of that theatre has not been, in a great measure, owing to the taste which its managers have displayed in regard to female beauty. Their stage has always been well-stocked with pretty, smart, *stylish*, girls; who, though not worthy of ranking amongst the first order of actresses, form nevertheless very attractive objects to the young men of the town who constitute so large a portion of an audience, and who by their good or ill report amongst their sisters and cousins essentially aid or injure the interests of a theatre. Miss FOOTE became at this period one of the main props of the system which the Covent Garden managers have always pursued with success. That she has no pretensions to a rank higher than that of second-rate actress must, perhaps, be allowed; but no one will deny that she was at that period the prettiest girl on the stage: she always dressed *tastily* and fashionably; looked delightfully; and was a universal favorite among the lobby-loungers and amateurs of beauty: since she has become a mother, of

course these attractions have a little faded. After her first appearance she supported with much talent an extensive range of characters, chiefly in the genteel and sentimental line, among which the two original parts of *Lucille*, in the "*Forest of Bondy*," and *Ulrica*, in the farce of the "*King and the Duke*," stand pre-eminently conspicuous. She likewise gained great applause for her able personation of *Miranda*, in "*The Tempest*." Her first effort in tragedy on the metropolitan boards was on occasion of her own benefit, on Tuesday, June 8th, 1824, when she enacted the part of *Statira*, in "*Alexander the Great*," Mr. BETTY (a near relative) playing *Alexander*. She appeared the same evening, for the first time, as the representative of *Aladdin*, in "*The Wonderful Lamp*." In both these characters she gave incontestible proof of her talent, and indeed the popularity of the latter piece was entirely owing to her excellent acting.

We have now the most unpleasant part of our task to perform. A task which we always endeavour by every means in our power to avoid, we mean that of invading the private secrets of public performers; it has, however, been forced upon us—and sincerely as we may regret the circumstances, or unwilling we may be to enter upon them, we must not forget our duty to our readers by disappointing them of the expected detail, or neglecting to make our work a perfect record of the dramatic events of the day.

In the summer of 1815, Miss FOOTE was engaged as a star to perform at Cheltenham, and here she met and attracted the attention of the celebrated amateur performer, FITZHARDING BERKELEY, better known by the name of Colonel BERKELEY. He offered his services to perform at her benefit, and as his previous ridiculous exhibitions like those of the well-known ROMEO COATES attracted crowded audiences, Miss F., on consideration, accepted his offer. The house was full to the ceiling, and Miss F. of course felt truly grateful for the aid thus lent her. After thus ingratiating himself he seized the favorable opportunity to plead the passion with which she had inspired him, and she in return bestowed her

affections upon him. We shall not enter very minutely into the transactions of this period, as our readers will find them fully detailed in the condensed report of the trial which follows hereafter: we shall merely observe that MARIA, seduced by his hollow professions of attachment, unfortunately fell into the snare spread for her, and became, after receiving his solemn assurances of making her his wife, the victim of an heartless, unprincipled seducer. For some months BERKELEY was unremitting in his attentions, but pleaded unavoidable circumstances in order to delay his marriage.* He persuaded the unsuspecting girl that an union at that critical juncture would injure the suit which he had in the judicial courts to recover the forfeited earldom of BERKELEY, but he solemnly avowed his intention of fulfilling his contract the moment he could do so without injury to his cause. In consequence the connexion continued for some years, during which time Miss FOOTE became the mother of two fine children, while her hopes were buoyed up by deceitful representations and promises which were never intended to be fulfilled. During this period Miss F. had continually honorable offers made to her from various suitors, all of which she was compelled to decline, till at length becoming weary of the delusion practised upon her she listened to the addresses of JOSEPH HAYNE, Esq. of Burderop Park, Wiltshire, having previously broken off all communica-

* These circumstances are thus stated:—

The mother of the Colonel, (one MARY COLE daughter of a butcher at Gloucester) unfortunately produced her husband (Earl BERKELEY) more "heirs *at love*" than "*at law*," not having been united to that nobleman till 1796 though the Colonel was born in 1786. The Earl, indeed, affirmed that a private marriage took place in 1785, but *the House of Lords disallowed the proofs*; in consequence of which one of the Colonel's younger brothers became entitled to the dignity of the earldom; he, however, with great magnanimity, refused to accept it, and the Colonel has long been petitioning the crown to grant him the title that at present lies dormant.

tion with her seducer. The former, although he became acquainted with all the facts of that unfortunate connexion, offered her his hand and fortune; which, as may naturally be concluded, she instantly accepted. For unknown reasons he broke his engagement, and afterwards applied to her for pardon, which was granted; yet after this he made and broke fresh promises, and ultimately declined and broke off the match for ever. On the occasion of his former reconciliation he uttered a sentence that deserves to be recorded as a memento of the weakness and folly of the man who could dare to break through so solemn an asseveration:—"*May God*," said he, "*strike me dead if ever I consent to separate myself from you!*" For his breach of promise Miss FOOTE brought an action for damages, and recovered £3,000. This case came before a jury on Tuesday the 21st Dec. last; and as the facts developed during the trial are of a curious description, the following summary will not, we trust, be deemed needless in this place.

The Attorney-General, in stating the plaintiff's case, observed, that the defendant is a young gentleman about twenty-three or twenty-four years of age, possessed of a large independent fortune, a man of the town, a man of fashion and gaiety. He was living in a house in Upper Brook-street, Grosvenor-square, and possessed a country seat in the neighbourhood of Marlborough. The plaintiff, Miss FOOTE, was well known to be a lady of great beauty and accomplishments, and possessed the utmost fascination of manners. She was the daughter of a gentleman who had been an officer in his Majesty's army, and she was an actress of the highest talent; she did not come there, nor was it his intention, on her part, to excite the compassion of the Court and Jury in her favour—she came there merely for justice against Mr. HAYNE for an injury done to her feelings of the deepest kind. He was sure that the Gentlemen of the Jury would see that this was a case calling for large amount of damages. It must evidently be no small part or aggravation of the plaintiff's sufferings to be obliged, as she now felt herself, to expose and to state every circumstance of her private life before that Court and the world. She, how-

ever, expressed no desire to conceal the errors into which she had unhappily fallen; and when the Jury considered the situation of peril and temptation in which she had been placed, he was quite sure they would not think those errors altogether unpardonable. The father of Miss FOOTE, in order to bring up his family in respectability, had taken the Plymouth theatre, at which the present plaintiff first made her appearance before the public as an actress. From thence she went to Covent Garden Theatre, where she made her first appearance in "*The Child of Nature.*" The year following, when she was but seventeen, she had an invitation to play at Cheltenham, where she became very popular. It was here communicated to her by the manager, that a gentleman of great wealth and influence, and of much popularity—a gentleman deeply skilled in the world and in intrigue, and one of no mean theatrical talent himself—that, in short, Colonel BERKELEY, the eldest son of the late Earl BERKELEY, was desirous of playing a part with her, for her benefit. She entertained no suspicions of his having formed any improper designs against her person and peace; and this led her to accept his offer. He (the Attorney General) would acquit the Colonel of having at this time, formed a premeditated scheme to effect her ruin. The Colonel showed the most marked attention—soon avowed the warmest regard and affection for her—and finally offered her marriage; but, he was then making application for a Peerage, and was actually petitioning his Majesty to that effect, it was impossible that their marriage could take place then, as her profession and situation in life would throw such an obstacle in the way, that the prayer of his petition would never be granted. For five years she lived under the protection of Col. B. and all that time he gave no intimation that he would perform his promise of marrying her. During all that time he made her no pecuniary allowance beyond the payment of those expenses which he himself had led her to incur; and for the whole five years that she continued to live with him, the presents that he had made did not amount in value to 100*l*. In 1821 Miss FOOTE, bore the Colonel

a child, and in 1823 she was again pregnant by him. Then it was that she began to see the misery of her situation. For five years she had lived under the protection of Col. BERKELEY, and she at last resolved that unless he fulfilled his promise of marrying her before the birth of this child, all intercourse between them must cease for ever. At first he renewed his assurances of marriage, but he gradually broke them off, and in June, 1824, all connexion ceased between them: in fact Col. B. had not seen Miss FOOTE from the February preceding. In the spring of 1824, Mr. HAYNE first saw Miss FOOTE, at Covent Garden Theatre. He was struck with her beauty, admired her talents, and became anxious to be introduced to her. That could not be accomplished, as she lived retired at her father's house; but in June her benefit came on, when Mr. HAYNE called at her house in Keppel-street, to procure boxes for himself and friends. He then conversed with Miss FOOTE, but had more communication with her father. Thus their acquaintance commenced, and Mr. HAYNE invited Mr. FOOTE to spend some days with him at Kitson-hall in Staffordshire, a seat which Mr. HAYNE then occupied. The invitation was accepted by Mr. FOOTE, and here it was that Mr. HAYNE informed him of his anxious wish to pay his addresses to his daughter. Mr. F. told him that it was in vain, as she had been for some time under an engagement to marry Col. BERKELEY. Thus the matter was broken off for that time, but in January, 1824, Mr. HAYNE came to Keppel-street, and repeated to Mrs. FOOTE what he said to Mr. F. in the country, about his wish to pay his addresses to her daughter. She also repeated to Mr. HAYNE, that her daughter was under an engagement to marry Col. B.; that it was one of long standing; but that if the arrangement was not completed, there could be no objection to Mr. HAYNE, as a young gentleman of character and fortune.—The Attorney-General then went on to state the interviews between the parties. She, as it might be expected, asked for time to consider his proposition; but he urged his suit in so ardent and impassioned a manner, that he obtained from her a promise of marriage.

He told her also, that he must return to the country, but before he went he would take her and her friends to the Opera, and they would then spend the evening together. To the Opera they went. Unfortunately for her, others (from what motive he could not divine) thought proper to interfere: and the Jury would be astonished to learn, that by some spy or other Col. BERKELEY was informed of the interview between Mr. HAYNE and Miss FOOTE, and the intended meeting at the Opera. What right had Col. B. to interfere in this young lady's concerns? He had seduced her under a promise which he had violated, and she had broken off all connexion with him. What right, then, had Col. B. with any other arrangement she might choose to make? Col. B., however, accompanied by Mr. MAXSE, went to the pit of the Opera, on the night when Mr. H. and Miss F. were there. Col. B. immediately sent Mr. MAXSE to the box in which Mr. H. was, requesting to speak with him in the pit. When Mr. H. came to him, he asked him for an explanation of his conduct with respect to Miss F., and required a meeting for the next afternoon. when Col. B. would be attended by Mr. MAXSE. Col. B. had no previous acquaintance with Mr. H., but when they met next day, every thing relating to his connexion with Miss F.— every thing relating to the two children—was disclosed by him to Mr. H. Col. B. laughed and joked about the matter, and even produced a paper, which he proposed Mr. H. should sign, calling on Miss F. to declare whether she would in future live under the protection of Col. B. or of him, (Mr. H.). This was refused. Mr. H., however, very naturally said that he would break off the match between himself and Miss F.; and Col. B. said scoffingly —"Well, I suppose I must go and pass the night in Keppel-street, and try and console Miss FOOTE for the loss she is likely to sustain."—To do an injury to a female was totally unworthy of a man of honor; but for a man to blight the prospects of a beautiful and amiable woman, whom he had ruined, was conduct such as he (the Attorney-General) could not trust himself in using language he thought sufficient to express his detestation of. Mr. H. accordingly wrote a short

note to Miss F., apprising her, that after what he had been told it was impossible for him to continue the connexion. Neither he nor his client blamed Mr. H. for his determination. The circumstance of the two children certainly justified him in breaking off the match. When Miss F. received the note she was immediately satisfied she had been treacherously dealt with; but Mr. H. had dealt kindly by her, and she felt grateful to him. She was most anxious to inform him that she had no desire to hold him to his engagement and therefore she solicited an interview with him in order to explain every thing to him, which took place at Marlborough in presence of Miss F.'s mother. Of this meeting Col. B. also, by some means or other, became acquainted, and he deputed Lord WM. LENOX to watch the movements of the parties; at the meeting Miss F. explained her conduct, and Mr. H. expressed himself perfectly satisfied; he treated Miss F. with kindness and attention; they returned to town, and she shortly received a letter from him, inviting a renewal of their correspondence. At this time the two children which Miss F. had by Col. B. were, up to this time, under the protection of their mother; but a negociation was on foot for removing them from her, and placing them under the care of the Colonel. Miss F., entertaining the feelings of a mother, was of course very averse to the proposition for her parting with the children; Mr. H., however, pressed her to accede to the proposition, urging as a reason that the future interests of the children would probably be advanced by their being under their father's eye, and at length Miss F. very reluctantly consented to relinquish the custody of them, and they were placed under the care of the Colonel. After this Mr. H. waited upon Miss F. in Keppel street, and made his proposal of marriage. The Jury would recollect that Mr. HAYNE was not a boy; he was at that time in his twenty-third or twenty-fourth year. (Mr. SCARLETT here said he was at the time only twenty-two.) He was versed in the affairs of the world, and was perfectly capable both of judging and acting for himself. He distinctly renewed his proposals of mar-

rage, declared himself perfectly satisfied with the conduct of Miss F., and deprecated the cruel treatment she had received at the hands of Col. BERKELEY. Miss FOOTE told him that she placed the most implicit reliance on his good faith and honour, and consented to a renewal of their former acquaintance. The Attorney-General then described the preparations for the wedding, which was to take place on the 6th September, and that the defendant stated that he had recently suffered great losses by the depreciation in value of his West India property, but that he had 46,000*l.* in the funds, 40,000*l.* of which he was anxious to settle on Miss FOOTE, in this way, for himself and her to receive the dividends during their joint lives, and after the death of the survivor of them, to be distributed equally among the children of the marriage, if any; and if at the death of Mr. H., and Miss F. should survive him, but have no children, then half the 40,000*l.* was to become the absolute property of Miss F., and the remaining half Mr. H. was to be at liberty to dispose of by his will. The Jury would, however, be surprised to learn, that shortly after Mr. BEBB, Mr. HAYNE'S solicitor, called in Keppel-street, at Mr. FOOTE'S house, and left a verbal message, stating, "that Mr. HAYNE would never see Miss FOOTE again." The surprise occasioned by this message the Jury would be able to conjecture. Miss F. was aware that Mr. H. was surrounded by persons who appeared to take a most extraordinary interest in his affairs, and who were anxious, beyond measure, to stop his correspondence with Miss F. Placed in this situation, Miss F. wrote to Mr. H., soliciting him, by all that was dear to her and him, to call upon her and explain his conduct. The bearer of this letter met Mr. H. in Bond-street, and he returned with the servant in a coach to Miss F., in Keppel-street. He affirmed that it was not his fault that he had thus acted towards her; that it was also his firm intention to have fulfilled his engagement, but that on his return home on Sunday some persons had first plied him with liquor, so as to make him in such a beastly state of intoxication, that he knew not what he did; that they afterwards locked him up

in a little back room, from which he had only that moment made his escape, which his exhausted appearance would prove, and that when he met the servant with the letter he was then coming to her. The explanation was received, and the following morning, at nine o'clock, was fixed for the marriage. The night passed over anxiously enough on the part of Miss F.; at length the morning arrived, every thing was prepared, the bride's maid was in attendance, as was also Mr. GILL, with the marriage settlement; Mr. ROBINS, the trustee, was also there; but, would the Jury believe it, Mr. H. never made his appearance—never took any notice of the appointment—never sent in any excuse—the parties waited till three o'clock, when a note was sent to him at Long's Hotel—the servant who took it was asked into a private room—he was there detained, under some pretence or another, for a considerable time, and was then informed that Mr. H. had gone into the country. For six long days did this young lady wait in anxious expectation of receiving some communication from Mr. H., but she received none. At length, on the sixth day, she addressed him a letter, to which he would call the particular attention of the Jury, because it described the feelings of Miss F. in a much more forcible manner than he (the Attorney-General) could describe them. It commenced—"My dear HAYNE, for six long days and tedious nights have I been in hourly expectation that you would have redeemed the promise which you solemnly made me." The letter went on to say, that she was at a loss to account for his extraordinary conduct; "but," said the letter, "I have still such faith in your honour, that I cannot bring myself to think but that your present conduct is not from your own will, but the result of the power and influence which others have over you, and that although separated from, your heart and thoughts are still with me; pray judge for yourself! Gracious God! can my dearest HAYNE be actuated and governed by the restraint of others? Remember, it was at your desire that our intended nuptials were announced in all the papers—recollect also your parting words when last I saw you—remember those words were 'May God

strike me dead if ever I attempt to separate myself from you.'" After some other remarks, the letter concludes thus—"Farewell, my dear HAYNE, and believe in the affection of your faithful, attached MARIA." In reply, Miss F. received from Mr. H. the following letter: "My dearest MARIA, you are perfectly correct when you say that my heart and thoughts are still with you." It then stated, that the world is a censorious one, that he was divided between love for her and esteem for his friends; it then went on to state, "I am resolved to sacrifice friends to affection; I cannot, will not lose you.'—After a short interval Mr. H. returned to London and called on Miss F., at her father's residence, in Keppel-street—they became perfectly reconciled to each other, and the 28th of September was finally fixed for the day of their marriage. This fell on the Tuesday, and Monday was fixed for the execution of the marriage settlement. On Saturday, Mr. H., accompanied by Miss F.'s father, went to Doctors' Commons, and there procured the marriage licence, which Mr. H. himself delivered into the hands of Miss F., and solicited leave to wait on her the following morning. Instead of doing so, a gentleman of the name of MANNING called at the house of Mr. FOOTE, and brought a letter with him from Mr. HAYNE to that gentleman, which letter stated, that he was so wretched as to be unable to call himself, but the bearer would explain every thing, and finally concluded, by breaking off the match. After this, Miss F. received from Mr. H. another letter, in which he still addressed as "My dear MARIA—We know each other well; but with all my faults, you have a regard for my honor—my attachment for you is unabated. I entreat of you to grant me an interview at any other place than Keppel-street." To which letter of Mr. H.'s Miss F. replied, "Good God, is this the way of proving your love and regard for me? To my honour and your shame be it spoken, that I am now suffering under painful illness, brought on entirely by your conduct; but that you are actuated by the advice of bad councils, I have no doubt. I will, however, once more, consent to see you, but it must be in the presence of my family: if I am well

enough, on Saturday, at one o'clock, it will be convenient to me to grant you an interview." In reply, Mr. H. writes a letter to Miss F. in which he says, that every line of the last letter of Miss F.'s was couched in terms of inveterate hatred, and it concludes thus: "Farewell, for ever—HAYNE." By what possible construction Mr. H. could say this letter was couched in terms of inveterate hatred, he (the Attorney-General) knew not—he would submit it to the criticism of his Learned Friend, Mr. SCARLETT, and he was sure he would say, that under all the circumstances, a more kind letter could not be written by a party so injured as Miss FOOTE had been. It was right for him to say, that during the correspondence which passed between the parties, Miss F. had certainly received several presents from Mr. H., amounting in value altogether to nearly 1,000*l.* they were, however, unsolicited by her, and she rather checked than encouraged Mr. H. in making them.—Now, as to the question of damages. Miss F., at the earnest request of Mr. H., had given up her engagement at Covent Garden Theatre, which was certainly a very valuable one—she had sold her theatrical wardrobe, and she had, at his suggestion, ordered a carriage, which she would not otherwise have done. But he did not call upon the Jury to give damages in respect of these accounts, but he asked them to give her a compensation for the loss she had sustained by not becoming the wife of Mr. HAYNE; in the first place, then, there was the station and rank in society which that circumstance would have given her; there was the 20,000*l.* which under the terms of the settlement would have become her absolute property in the event of Mr. H. dying in her life time without issue; now the damages laid in the declaration were 10,000*l.* The question then was, would Miss FOOTE have released Mr. HAYNE from his promise to marry for 10,000*l.*? certainly not, or for three times 10,000*l.*; then she was fully entitled to recover to-day the whole damages laid in the declaration and he now sat down firmly convinced that by the verdict of the Jury to-day, she would recover the whole amount she claimed.

Mrs. MARIA FOOTE proved the interview between her daughter and the defendant, and his desire expressed to the witness to marry her daughter. The information given to him of her engagement with Col. BERKELEY, the subsequent breaking off the Berkeley match, and the reception of the defendant as her future son-in-law, his promises of marrying the plaintiff—his refusals to carry those promises into effect. The witness also proved the letters which passed between the parties—(which were afterwards put in and read in evidence) the presents which the defendant had made to the plaintiff, which she stated to be worth between £800 and £1000, as valued.

Mr. G. H. ROBINS, of the Piazzas, Covent Garden, stated that the defendant called upon him he believed on the 29th of August, for him to give directions as one of the Trustees for Miss FOOTE, under the marriage settlement, for the marriage settlement to be proposed. The defendant told witness that he had a large West India property of 3 or £4000 a year. That he had beside £187,000 in Chancery, of which sum the Lord Chancellor had awarded him within the last three years, £100,000. Defendant invited witness to the wedding, and he accordingly was present in Keppel-street on the morning of the intended ceremony, but the bridegroom did not come.

Mr. GILL confirmed the previous testimony as to the preparations for the marriage settlements.

Mr. SCARLETT addressed the Jury for the defendant. He observed upon the ingenuity which the Attorney General had used in stating his case. Did they not notice the ingenuity of his appeal, how much his speech was directed not to the case of his client, but to Col. BERKELEY. So long and so earnestly did he dwell on this point, that for a time, he, (Mr. S.) doubted whether Mr. HAYNE or Col. B. was the defendant; and was it not most extraordinary that her seducer, the person by whom it was confessed she had two children, under whose hand it was pretended she had promises of marriage, was it not extraordinary that no action was brought against him, but that a young man should have been selected, who

was not twenty-one years old when first introduced to her? He had done her no injury—he was no experienced seducer—but a gay, extravagant, foolish young man. If her peace of mind had been broken; if she had fallen from that station in society her talents and her beauty fitted her to fill, he was not to blame. If she desired a reparation in damages she might have selected a fitter victim. Mr. S. then observed upon the conduct of the family towards the defendant, and particularly that of Mr. FOOTE. He said that when the defendant's offers were accepted she was with child, for in June following, she was living as the mistress of Col. B. From Mr. F.'s letters it would appear how artfully he concealed the actual state of his daughter, under the pretence that her constitution was weak—and that in consequence of a pulmonary complaint it was necessary for her to remain in the country. Mr. S. then read the letters, which shewed, as the learned counsel said, an evident desire, in the most guarded manner, to conceal the fact of the lady's pregnancy. Mrs. F. and her daughter left town in March, under the name of FORBES, and remained in the country until Miss F. was delivered. They returned on the twenty-first of June, and on the twenty-sixth of the same month the promise of marriage was made and accepted. That most acute lady, whom they saw in the box, Mrs. F. informed them that it was the intention of her and her daughter to communicate to Mr. H. the fact of her daughter's having had two children, but she admitted she concealed the fact. She also led the defendant into a correspondence, and retained copies of his letters, no doubt with a view to a result of this nature. He never knew a lady before come into Court to call for damages, who kept copies of her letters. She was evidently playing her own game—20,000*l.* were to be secured to her as a separate maintenance in case of a separation. She was determined to make a good season of it if she should relinquish her engagement. Then, the father had received 1150*l.* She had got enough already. Besides the 1150*l.* which it was proposed to make a set off against part of the damages, she obtained presents to the value of 1000*l.* not to mention

the shawl; they were now called upon to give her 20,000*l.* or 10,000*l.* more. If Col. B had been the first to do her wrong, it was he who should be called upon to make compensation.

Evidence was then called to shew that an offer had been made by Mr. F., an the 11th of December last, to return the 1150*l.*

The Attorney-General replied, and the Lord Chief Justice recapitulated the leading features of the case. He began by stating that the verdict must undoubtedly be for the plaintiff, under the circumstances detailed. Had the defendant, when first apprised of the existence of the children, declined to celebrate the marriage, and continued to estrange himself, he should have felt it his duty to tell them they must find for the defendant. It was the renewal of his suit afterwards, coupled with his declining to complete his engagement on the 6th of September, which had placed him in that situation to-day that compelled him, sitting where he was placed, to direct them to find a verdict against the defendant. The main consideration for the Jury was the amount of damages. They must recollect, however, that a woman standing in the situation of the plaintiff could not, nor should be, considered in the same light, or entitled to the same damages as a woman of insulted and spotless virtue.

The Jury retired for twenty minutes, and returned a verdict for the Plaintiff—Damages THREE THOUSAND POUNDS.

Such was the result of this singular trial, which has given the parties concerned an "eternal notoriety."—For the unprincipled seducer we feel utter detestation and abhorrence; for the mean, pitiful HAYNE we feel scorn, contempt and hatred; for the unfortunate victim of their conjoined arts, our only sensations are sorrow and pity, for the miseries which have heavily hung upon her, and "stung, vitally stung," a heart whose pulse beat with the warmest love and affection, and whose only fault was in having loved

"——— not wisely,
But too well!"

MARIA FOOTE.

"If half thy outward graces had been placed
About thy thoughts and counsels of thy heart!"

SHAKSPEARE.

If there was ever a creature who merited the sympathy of the world, it is MARIA FOOTE!

If there was ever a wife who deserved its commiseration, it is her mother!

A short narrative of the causes which have led to the condition of the one, and the unhappiness of the other, may not be without its beneficial effects on fathers, mothers, and daughters.

About twenty-eight years ago, an actor came to Plymouth by the name of FREEMAN (his real name being FOOTE): he was of a respectable family from Salisbury, his brother being at that time a clergyman there. When on a visit to his brother, he met the sister of his brother's wife, a young creature about seventeen, just from a boarding-school; and, to the disgrace of all parties, they persuaded this interesting boarding-school miss to marry a man twenty-five years older than herself. He returned to Plymouth with his wife, a sweet innocent girl. In country towns, actors are considered profligate people; and though the young creature had been educated as a lady, and was much more of one than most of the other females in the town, no genteel family paid her the least attention. She was considered as the wife of a man whom nobody respected—and notwithstanding the whole town was interested in her appearance, pity was the predominant feeling whenever she appeared.

Deserted comparatively by one sex, she naturally enough threw herself into the society of the other; and certainly, in Plymouth, her good humour, fascinating manner, long silken hair, and white hat and feather, made prodigious havoc among the young bloods of the town.

Her husband was too apathetic to care who flirted

about with his wife, provided he was released from the trouble, and left her too often after the first burst of passion was cooled. Thus, without being vicious, her natural gaiety deadened all sense of discretion—and, from being shamefully slighted by the world without a cause, she became indignant, and indifferent to its opinion. Her old husband, finding that she was not visited, began to neglect her himself, instead, as he ought to have done, of paying her double attention, and seeking to soothe and console an ill-used woman, whose feelings had never been injured till she sacrificed her youth and her prospects to him.

The produce of this ill-sorted union was MARIA FOOTE, who was daily brought up amid scenes little calculated to strengthen the sense of propriety, domestic love, or domestic happiness.

From that weariness of mind, which in moments of quiet constantly presses the heart of a slighted woman, a desire for relief, which was denied her in the society of her own sex to the degree she deserved, urged the mother to take refuge nightly in the theatre. Daily and hourly seeing, hearing, and talking of little else but the theatre, as might have been expected, a wish to become an actress got possession of her mind, She went on her husband's stage just as her innocent child was becoming open to impressions; and thus MARIA FOOTE, the present subject of public sympathy, was initiated, with the most innocent feelings, to undervalue those modest proprieties and delicacies of female character, which add an irresistible charm to the most beautiful, as they grace and soften the most abandoned, woman.

When MARIA was twelve years of age, her mother was so far lost to all delicacy of mind, and her father so utterly insensible to all the duties of a father, that he suffered this only daughter to act *Juliet* to the *Romeo* of his wife!

The town was disgusted—thoroughly disgusted—and whatever claims he had before to the notice of some private friends, to whom his manners as a gentleman ever made him welcome, they were now considered forfeited for ever.

From this moment, a sort of reckless indifference seemed to possess the whole family. Nothing came amiss, so that money was the consequence; and under the impression of making it, FOOTE, who was brought up a gentleman, and whose wife had been educated as a lady, took a public inn, lost his wife's fortune, became the dupe of villains, and was ruined.

MARIA was at this time a most fascinating girl, and having succeeded in an experiment on a London audience, obtained an engagement at Covent Garden theatre.

To those who know nothing of a theatre, it may be new to tell them, that an interesting girl is in the jaws of ruin who enters it as an actress, unless watched and protected by her family and friends with the scrutiny of Argus, without his disposition to fall asleep. Constantly exposed to the gaze of men—inflaming a hundred heads and agitating a thousand hearts, if she be as MARIA was, fascinating and amiable—surrounded by old wretches as dressers, who are the constant conveyers of letters, and sonnets, and flattery—dazzled by the thunders of public applause, and softened by the incense of a thousand sighs, breathed audibly from the front of the pit or the stage boxes—associating in the green-room with licensed married strumpets, because she must not be affected! Or supping on the stage, after the curtain is dropped, with titled infamy or grey-headed lechery!—let the reader fancy an innocent girl, from a country town, plunged at once into this furnace of depravity—let him fancy her father sanctioning her by his indifference or helping her by his example, and then let him say, if she be ultimately seduced and abandoned, whether it ought not to be a wonder she was innocent so long!

In spite of an education that never cherished the best feelings of a child, MARIA has yet a sounder understanding than her parents; and it is the conviction of the writer, that she will by its exercise regain at last her station in society. It is manifest, from her letters, that she begins to perceive the folly of wishing to appear vicious without actual vice—of being familiar with title, however the wearer disgraces it—she begins to perceive

that selfishness, ingratitude, hypocrisy, indifference to the opinion of the best part of society, and base desertion of old friends when the most has been made of them—a love of dash and splendor, in preference to virtue and quiet—are not, after all, the surest, or the more certain, or the most honourable methods of obtaining the respect of oneself or of society, and generally inflict on the practisers a double portion of disgrace and suffering.

For her seducer's heartless treatment of her during her distressing pregnancy, no punishment can ever be a sufficient infliction. A most passionate, ardent, endeared lover, certainly, to stay from his beloved nine months out of every year during the five she was his!—that is, 45 months out of 60—thus spending, out of 60 months, 15 in her arms. Noble creature? *Romeo* was a log to such a lover!

To those who are acquainted with the conduct of the old gentleman for the last thirty years in Devonshire, the history of the pulmonary complaint, the Manton gun, the six weeks at Tixall, the meanness, the heartless ingratitude to HAYNE, were exceedingly entertaining. There is scarcely a friend living, or a family dead, that he has not treated with the dirtiest selfishness, whatever were his obligations—spunging till he was insulted, lying till he was discovered, puffing till he was the butt of the town. The people of Plymouth can relate a thousand instances of this description.

BERKELEY'S shrewdness soon saw that he should have no authority if such parents were not kept at a distance, and he was right; but if he loved this girl, why did he not at once marry her and take her from them? The influence of a husband would soon have corrected all her insensibility to appearances when pernicious examples were removed!—*Examiner.*

"MEASURE FOR MEASURE."

MR. DRAMA,

Your correspondent, PETER TOMKINS, has certainly never read the above play, or he would not have troubled you with the inquiry given at page 79. If he takes the trouble to peruse the last scene, he will find that *Bernardine* was neither "hanged nor beheaded." The *Duke* observes,

"————Thou'rt condemned;
But for those earthly faults, *I quit them all;*
And pray thee, *take this mercy* to *provide*
For better times to come: Friar, *advise him;*
I leave him to your hand.——"

Dec. 4th, 1824. C. G. C—D.

ANECDOTES OF ANCIENT ACTORS.

No. II.

1.—ALLEYN.

EDWARD ALLEYN, Esq. founded the Fortune Theatre, about the year 1599; and which, under his management, rose to great eminence. It was here that MARLOWE's play of "*The Rich Jew of Malta*" was revived, and was received with uncommon applause. BAKER, in his Chronicles, says, that "RICHARD BOWBRIDGE and EDWARD ALLEYN were two such actors as *no age* must ever look to see the like;" and HEYWOOD, speaking of ALLEYN in *Barabbas* (the Jew) and other characters, says, he was

"Proteus for shapes, and Roscius for a tongue."

EDWARD ALLEYN was born in London, 1st Sept. 1566; was early introduced to the stage, and appears to have

been at the head of his profession, by which he acquired a considerable fortune. He retired from the stage shortly after his theatre had been erected in 1622 (it had been destroyed by fire, 1621), and resided at Dulwich, where he died Nov. 25, 1626. ALLEYN had also, in conjunction with his brother-in-law HENSLOW, the lucrative place of keeper of his majesty's bears, or royal bearward, by which he is said to have cleared £500 per annum.

2.—SHAKSPEARE.

It is said, played *Adam* in "*As You Like It*," likewise the *Ghost* in "*Hamlet*," and a part in one of BEN JONSON'S comedies. This latter occurrence has been stated as evidence of the personal friendship which existed between those two writers; yet I have never been able to come to that conclusion. He may have been compelled to take the character, or many other circumstances may have arisen which induced him to it.

3.—THE KING'S COMPANY

Was formed by KILLIGREW, who gathered the scattered remnants of the six houses allowed in the time of CHARLES the First, and played at the Bull, and at a new house in GIBBON'S Tennis Court, Clare Market; in which two places they continued acting from 1660 to 1663, when KILLEGREW obtained a patent from CHARLES the Second, and removed to Drury Lane; from which time they styled themselves the King's Servants. Their names were,—THEOPHILUS BIRD, HART, MOHUN, LACY, BURT, CARTWRIGHT, CLUN, BAXTER, ROBERT SHATTERELL, DUKE, HANCOCK, KYNASTON, WINTERSEL, BATEMAN, BLAGDEN, Mrs. COREY, Mrs. ANN MARSHALL, Mrs. EASTLAND, Mrs. WEAVER, Mrs. UPHILL, Mrs. KNESS, Mrs. HUGHS. After they had commenced at Drury Lane, they received the following into the company: HAINS, GRIFFIN, GOODMAN, LYDDOL, CHARLTON, SHERLY, BEESTON, BELL, REEVES, HUGHS, HARRIS, (the last four were bred up from boys under

the master actors), Mrs. BOUTEL, Mrs. ELLEN GWYNN, Mrs. JAMES, Mrs. REBECCA MARSHALL, Mrs. RUTTER, Mrs. VERJUICE, Mrs. KNIGHT. WINTERSEL and CARTWRIGHT belonged to the private house in Salisbury Court. HART was apprentice to ROBINSON, an actor, who lived before the civil wars; he afterwards had a captain's commission, and fought for the king's party. BURT was apprentice to SHANKE, and acted in his youth women's parts. This seems to have been the practice with old actors, to initiate their apprentices in women's characters.

4.—LACY.

LANGBAINE speaks of LACY as of the most perfect comic actor of his time; he was one of the recruits which they engaged in the King's company, for there is no trace of his having ever acted previous to the Restoration. He wrote three plays, and died about 1684.

5.—MAJOR MOHUN

Was an actor of great celebrity. He was eminent in *Volpone*, ("*Fox*") *Face*, ("*Alchymist*") *Melanthius*, ("*Maid's Tragedy*") *Mardonius*, ("*King and no King*") *Cassius*, ("*Julius Cæsar*") *Clytus*, and *Mithridates*. NAT LEE, seeing him act this last, suddenly exclaimed, "*Oh! Mohun, Mohun, thou little man of mettle, if I should write a hundred plays, I'd write a part for thy mouth.*" LEE himself was a capital reader of his own tragedies; MOHUN used frequently to throw down his part, in despair of approaching to his excellence of expression. CHARLES the Second being asked how he liked MOHUN's acting, said that "MOHUN (or as usually pronounced MOON) shone like the sun, and HART like the moon."* In RYMER's "*Tragedies of the last age*

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* CHARLES the Second has been characterised as having *never said a foolish thing, nor ever done a wise one.* This play upon the word might pass for wit in a king but would not be so reputed in a subject.

Considered," we find the following compliment paid to the two last named actors: 'We may remember (however we find this scene of *Melanthius* and *Amintor* written in the book) that at the theatre we have a good scene acted; there is work cut out, and both our Æsop and Roscius are on the stage together;—whatever defect there may be in *Amintor* and *Melanthius*, Mr. HART and Mr. MOHUN are wanting in nothing. To these we owe what is pleasing in the scene; and to this scene we may impute the success of the "*Maid's Tragedy*."'

6.—MRS. DAVIS

Played the character of *Celia* in Sir W. DAVENANT'S drama of "*The Rivals*," when it was first produced; her delineation was correct, and her vocal powers enchanting. CHARLES the Second was enraptured in so great a degree with hearing her, that he took her off the stage, and made her his mistress. He had one daughter by her,—MARY TUDOR, who was married to FRANCIS Lord RADCLIFFE, afterwards Earl of DERWENTWATER.

7.—NOKES.

The comedy of "*Sir Solomon Single*" was ordered by the king at Dover, whither he had gone to meet his sister, the Duchess of Orleans. *Sir Arthur Addle* being played by NOKES. The French court, at that time, wore excessive short coats, with broad waist belts, and NOKES contrived to have one made much shorter than the French fashion. The Duke of MONMOUTH was highly pleased, and gave NOKES his sword and belt from his side, and buckled it on himself, with the hope of his giving a broad caricature on the French. Upon his first entrance on the stage, the King and suite burst into a convulsive fit of laughter, and applauded this *witty* sally of their favourite actor.—The French were very much chagrined. So much for the buffoonery of the court of CHARLES the Second.

8.—NORRIS.

In BETTERTON's Comedy of the "*Amorous Widow*," NORRIS played *Barnaby Brittle* to Mrs. OLDFIELD's *Mrs. Brittle.* During the indisposition of the former, COLLEY CIBBER undertook his character, when Mrs. OLDFIELD remarked that she could not play so well with him as with NORRIS, for NORRIS *looked* more like a cuckold than CIBBER.

9.—BOWMAN

Was supposed to be near ninety years old when he died. No coquette was ever more careful to conceal her age than this actor. To those who asked him his age his constant reply was, "*Sir, I am very well.*"

MRS. BARRY'S

Inimitable performance of *Isabella*, *Monimia*, and *Belvidera*, gained her the name of "*famous* Mrs. BARRY," both at court and city. Whenever she acted either of those parts, the house was full; and the solemn silence which attended her affecting personation was only broken by the sobbing of the spectators, and enthusiastic bursts of approbation. On account of her great merit, and the money she brought to the house, she was allowed a benefit. This was about the year 1687, and the first comedian who was ever favoured with one. BETTERTON did not accept a benefit till 1709.

11—.VERBRUGGEN.

No stage historian has taken notice of the particular merits of this actor; and CIBBER, who is profuse enough on the celebrity of others, has merely mentioned his name as an actor of some merit, though inferior to others; but we learn from SOUTHERNE in his dedication of "*Oroonoko*" to the Duke of DEVONSHIRE, that he was an actor of great ability. In "*A Comparison between the two Stages*," he is spoken very poorly of:—

"BETTERTON wears away apace; his activity is at an end, and his memory begins to die.

"But there's a young one to succeed him—VERBRUGGEN.

"A fellow with a cracked voice; he clangs his words as if he spoke out of a broken drum."

I must remark, however, that the work from which the above is quoted condemns most of the celebrated old actors;—I need not say unjustly. VERBRUGGEN undoubtedly was a very clever man.

EDGAR DARLINGTON.

LINES TO MISS FOOTE.

1.

Too lovely girl! could not the charm
Of Beauty, so supremely thine,
The power, the hope, the wish disarm,
Too lovely one to work thee harm?
Could man while kneeling at a shrine
So exquisitely fashioned, dare
To dream of flinging poison there?

2.

Could man behold thy gentle smile,
Beam with affection's light on him
Confidingly, and yet beguile
Its purity away the while,
Leaving it clouded o'er and dim?
Then turn in fickleness away,
Moth-like round other lights to play?

3.

Yes, there are things of worthlessness,
Beings whose every hope and thought

Is fixed on self—who cannot guess
That others ever know distress,
Nor reck what evil they have wrought;
And it alas! has been thy fate,
To meet such *things*—and *know* too late.

4.

The *heartless*, the *contemptible*
Have made thy loveliness their toy,
And deem the deed their names will swell
In Fashion's gaudy chronicle;
Nor shall the world their hope destroy—
On every tongue they shall be borne
In tones of hate—in tones of scorn.

Jan. 7, 1825. G. J. De Wilde.

DRAMATIC EXCERPTA.

No. X.

1.—The parsimony of the British Roscius has frequently been severely commented upon by his various biographers. The following anecdote told of him by Macklin is well authenticated.—One day Garrick gave a dinner to Fielding, Macklin, Havard, Mrs. Cibber, &c. &c. It was then the practice to give vails to the servants, most of the company gave to Garrick's man David, some a shilling, some half-a-crown, whilst Fielding slipped a piece of paper with something folded up in it, into his hand. After the company were gone, David appeared in high spirits, and his master asked him how much he got? "I can't tell at present, Sir, but here's half-a-crown from Mrs. Cibber, God bless her; a shilling from Mr. Macklin; two from Havard, &c.; but here is something from the poet, God bless his merry heart!" By this time David had un-

folded the paper, and found to his astonishment, it contained a penny. GARRICK was nettled, and next day spoke to FIELDING on the impropriety of jesting with a servant. "Jesting," said FIELDING, "so far from it, I meant to do the fellow a service, for had I given him a shilling, or a half-crown, I knew you would have taken it from him towards defraying the expense of the dinner, but by giving him only a penny, I thought he had a chance of calling it his own.

2.—*Lines addressed to* ————*

Oh! in thy course, grace still a fraudful name,
Thou doubly born of infamy and shame.
Oh! fond betrayer, thine the envied boast
To injure deepest her who lov'd thee most.
Worst of thy race, lost son, in fancy deck'd,
With all that fate in one sad hour had wreck'd;
Foil'd by no rival, mend thy joyless way,
Shunn'd by the honest, hated by the gay.
Live, as thou hast liv'd; tell each unconscious guest,
No coward virtue trembles in that breast;
Point to each victim, gloss the artful tale,
Say whose the error, not who taught to fail.
Drop some dark hint, whisper some well coin'd lie,
Then shake the head, and wink the practis'd eye.
Is all fear hush'd; thrills no unsummon'd thought;
Can conscience sleep, or traitor-like be bought?
Speaks there no terror in that smiling brow,
Was all, and will be all, as light as now.
That form so stern, those eyes so fiercely bold,
Those lips deceiving, heart as icy cold?
Shar'st thou no weakness with thy kindred race,
Can shame not change, man's hatred cloud that face?

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* The honorable name which should fill up this blank, will immediately suggest itself to the reader upon perusal of these lines; a man of much recent notoriety, and of which no honest man will envy the owner the possession,—even with the riches of the Indies at his command.—W. S. P.

Immortal wretch! to those we them'd of yore,
Decaying wreaths a passing honor bore;
Their memory brief, their worthiest deed forgot,
Their sons unkindly as their various lot.
Noble thy fate; live thou beyond the hour
False glory lasts; and fondly treasur'd power;
The fresh wove garland withers on the grave,
Where sleeps the patriot or the hapless brave;
Thy garlands wither not—all time shall see,
Dishonor weave a fadeless wreath for thee.

Morning Herald, 5th January, 1825.

3.—Mr. BRAHAM studied music under ROSSINI, at Bath, and many of the present inhabitants well remember Mr. BRAHAM's exercises up the high hills around Bath—Beacon Hill, Beechin-Cliff, &c. and singing in the open air, when he got to the top of them. This Demosthenian mode of training, his master compelled him to pursue; not that it was irksome to the pupil, for he seemed to delight in the occupation; and the latter part of the day he would join in concerts at ROSSINI's evening parties, where were assembled the celebrated Madam MARA, Signora STORACE, &c. On summer evenings, with the windows open at ROSSINI's house beyond Beechin-Cliff, all have been heard singing to the delight of passengers.

4.—*Madam* MARA.

This once celebrated singer at present resides at Revel. She lately met with a serious accident whilst walking in the street.—She was knocked down by the horses of a gentleman's carriage, and the wheels of the carriage passed over her. She was severely bruised, but fortunately escaped without any bones being broken, and is now perfectly recovered. She is arrived at a very advanced age, and lives very retired, having, it is said, lost the greater part of her property by the burning of Moscow.

5.—Mr. MATHEWS relates in his "*Trip to America*," that the black population being under certain restrictions in the national theatres, have, to be quite at their ease, a theatre of their own. Here he sees a black tragedian perform the character of *Hamlet*, and hears him deliver the soliloquy: "To be or not to be dat is him question, whether him nobler in de mind to suffer or lift up him arms against one sea of trouble, and by opossum, (oppose 'em) end 'em." At the word opossum the whole audience burst forth into one general cry of "opossum, opossum." On inquiry into the cause of this Mr. M. was informed, that "Opossum up a Gum Tree" was the national air, or sort of God save the King of the negroes, and that being reminded of it by *Hamlet's* pronunciation of "oppose 'em," there was no doubt but that they would have it sung. The cries of "opossum, opossum," increasing, the sable tragedian comes forward, and addressing the audience, informs them that he will sing their favorite melody with him greatest pleasure, and accordingly sings it. Finishing his song this versatile genius, retiring up the stage, comes strutting down bellowing out, "Now is de winter of our discontent made de glorious summer of de sun of New York," and on a person in the boxes telling him he should play *Hamlet*, and not *Richard III.*, replies, "Yes him know dat, but him tought of New York den, and could not help talking about it."

6.—PETER PINDAR sent the following lines to SHIELD the composer, for the loan of his ivory ticket of admission to a concert:—

Son of the string, (I do not mean Jack Ketch,
Though Jack, like thee, produces dying tones.)
Oh! yield thy pity, to a starving wretch,
And for to-morrow's treat pray send thy bones!

7.—*The Actress.*

A dasher, four-in-hand who drove,
Fell, with an actress, deep in love;
And come what would that he might carry her,
Had even half a mind to marry her.

But ere for better or for worse
He took her, lest she prov'd a curse,
He thought he might as well attend
To the tried counsel of a friend.
The friend awhile let him go on,
Heard all his reasons pro and con,
And answered gravely, "since, you see,
You thus submit your case to me,
I'll give the best advice I can.
You have two ways the thing to plan;
Marry the lady, if you choose,
And treat the town with nine days' news—
Then for the long robe glorious sport,
Carry your horns into a court;
And there you'll set your mind at ease
By getting swinging damages;
Or if you like such counsel better,
Since as you say you can't forget her,
Rather than garnish thus your hat,
For scorn to point his finger at,
Leaving such pranks to stupid ninnies,
Give her, as I did, twenty guineas."

8.—The late ROBERT PALMER was in the early part of his life a bill sticker, which circumstance was pretty generally known to the performers. One evening, dressed for *Sir Brilliant Fashion*, he strutted into the green-room with sparkling buckes on his shoes and at his knees, and a brilliant ring on his finger. One of the company inquired if they were real. "I wear nothing but diamonds," replied PALMER. "I congratulate you," said JOHN BANNISTER, "for I remember when you wore nothing but paste," This occasioned a war, which was heightened by Mrs. JORDAN crying out, "Stick him against the wall, BOB—stick him against the wall."

9.—BARTHE, the French dramatic author, was remarkable for selfishness. Calling upon a friend whose opinion he wished to have on a new comedy, he found him in his last moments, but notwithstanding, proposed

to him to hear it read. "Consider," said the dying man, "I have not more than an hour to live." "Aye," replied BARTHE, "but this will only occupy half that time."

Walworth, Jan. 10, 1825. W. S. P.

A PLAY-GOER'S ADDRESS TO THE DIRECTORS OF THE PATENT THEATRES.

AFTER THE MANNER OF SHAKSPEARE.

Most potent, grave, and learned manager;
My very noble and approved lessee;
That you do both despise the drama's laws
It is most true; true, that you both neglect them.
The very head and front of your offending
Hath this extent, nay, more. Rudely you put on shelf
The matchless plays of England's ancient bards;
For, since these eyes of mine were nine years old,
Till now these two months wasted, they have used
Their strained sight in search of poetry,
But little that's sublime have they yet seen,
Save that is found in dramatists of old,
And therefore little do we owe to you
For pleasure we experience: so by your gracious patience
I will a round, unvarnished tale deliver
Of all your course of folly; what scenes, what acts,
What melo-drama's, and what mighty shows
(For such proceedings you are charged withal)
You brought upon the stage.
The public prayed you, oft invited you
To bring upon the stage some ancient play
Of BEAUMONT, FLECTCHER, MASSINGER,
Or "rare BEN JONSON."
You did refuse, e'en from my boyish days,
To the very moment the last season ended;
For you have play'd us melo-drama's, strange

With mighty battles, cataracts, and wars,
Brought to Ganges, sent us then to Java;
To Mexico with Cortez and his troop;
Told us to worship fire when SHAKSPEARE
Should have claimed our homage.
But now, for the very fear of empty benches,
You have sent us forth
A real comedy, and noble tragedy, of the first water;
Such as the friend and lover of the drama,
And the drama's laws can hear with pleasure:
Wherein no antics vast, no roaring cataract,
Or horses, either made of flesh or wood,
But real dramas. These things to hear,
The public now will seriously incline,
If that their taste is not so vitiate
By your dull shows and roaring gunpowder.
But fortune must return, and with a greedy ear
Your patrons will devour their ancient bards;
Which you observing,
Should take a leisure hour and find good plays,
Wherewith to draw good houses; which of late
I fear you have not known.
Then will your treasury reap the benefit;
Your actors, just applause; yourselves, esteem;—
Your course being ended,
You will retire with laurels on your brows.
You'll love us for the bounty we have shewn,
And we'll love you for giving us delight.—
Leave then your shows, and to the drama turn.

London, Jan. 1, 1825. PHILO-KEAN.

ACTION FOR CRIM. CON.

COURT OF KING'S BENCH, MONDAY, JAN. 17.

R. A. COX, Esq. *v.* KEAN.

The plaintiff sought to recover damages from the defendant, an actor at Drury Lane Theatre, for criminal conversation with his (the plaintiff's) wife.

Mr. DENMAN stated the plaintiff's case. It was his painful duty to beg their attention to one of those cases, which unfortunately, in the present state of morality, were not unfrequent. They had seldom, however, met with a case in which all the confidence of private friendship had been more grossly betrayed, nor which involved a greater degree of violation of hospitality and confidence. The plaintiff had married in 1816, when he was 33 years of age; and his lady had just completed her 21st year. She was a person of family and fortune in Somersetshire, and they had lived together in the utmost real harmony, affection, and confidence. In 1812 the plaintiff, who had before been connected in a banking concern in the country, entered into partnership in a gold refiner's and banking house in town. Although he in consequence removed with his family to town, he annually went down to spend some part of the year in the country; and during one of these visits, in 1813, he became acquainted with Mr. KEAN.—Mr. COX was at that time a member of the Committee of Drury Lane Theatre, and no man felt more anxious for the success of those talents which he himself had assisted in fostering and bringing before the public. Mrs. COX was also a lady of considerable mental accomplishments and attainments—of theatrical taste, and of course well read in SHAKSPEARE. How and when the fatal attachment between his wife and the defendant had commenced the plaintiff was entirely ignorant. During all that time had this intercourse been going on without any suspicion

on the part of the injured husband. There was, indeed, no gentleman in existence of a kinder, more open, nor more unsuspicious disposition and character, and consequently no one more liable to be deceived and duped by one to whom he had shewn the most generous friendship, and in whom he had placed the utmost confidence. Mr. D. then detailed a variety of letters written by the defendant to Mrs. C. (extracts from which will be found below). It was proper for him to state how this criminal and fatal connexion was brought to the knowledge of Mr. C. There was a young lady, a relation, who lived in the family, but not as a spy upon Mrs. C. She was aware of the connexion, and though the servants knew it also, yet they thought it better to conceal the fatal secret, than by disclosing it to make Mr. C. miserable. The discovery was made in consequence of an appointment which Mrs. C. had made, that Mr. K. should meet her. Mr. C. then lived in Wellington Place, where the meeting was to be. Mr. C. was supposed to have been got rid of, and Mr. K. was admitted, where he was to have passed the night, but Mr. C. came when their precautions were not in full activity, and the discovery was made. He would not conceal the fact, that after this, Mr. C. found that intimacies had subsisted between his wife and other individuals besides Mr. K., and therefore he had told his Solicitor to lay the damages in this action as moderately as possible. It was even the act of the Attorney that they were laid at 2,000*l.* Mr. D. concluded with observing, that the Jury would be only discharging their duty by awarding the whole amount of the damages the plaintiff claimed, and which, he trusted, they would believe him fully entitled to.

Mr. ROBERT HENNING—Resides at Dorchester; knew Mr. COX and his wife previous to their marriage, her name was Miss NEWMAN, and she was possessed of property which she came to at her marriage; she was a lady of education and cultivated mind; was present at the marriage, which took place on the 17th July, 1805. Mr. C. was possessed of property in the neighbourhood of Dorchester, and lived there after his marriage for a few years; they lived together affectionately and happily.

Other witnesses proved to the same effect.

The letters alluded to in Mr. DENMAN's speech were read in evidence. The followiug are extracts:—The first letter bore the post mark Lynn, April 4, 1820, and was addressed to Mrs. ALLEN, Bartlett's-court, Bow-street, London; it commenced "Dearest of women," and, after much introductory matter, assured her, that since he left London he had paid attention to nothing but her, and how necessary she was to his happiness. In answer to one of her darling questions he informs her, that "the theatre was crowded, and the applause rapturous; the walks were beautiful—but CHARLOTTE was not there."—A letter dated Feb. 5, written in America, and bearing the post-mark of March 9, 1821, was here read. It commenced "My dearest love," assuring her that his thoughts were eternally on her, and the influence she had over his heart was incalculable; he grieved over his family, and would have her over there were it not that she would be lost to that society, which she was born to adorn. Oh! that he had his dear little girl in his arms. The letter concluded,

"Doubt that the stars are fire,
Doubt that the sun doth move,
Doubt Truth to be a liar,
But never doubt I love."

A letter of the 5th of April 1822, stated, he was remitting to England 1000 dollars a month out of his earnings in America, and conjures her not to let any one rival or supersede him in her affections; he had wooed her with the affection of a lover, under the appellation of a friend—the happiest moments of his life had been spent with her.—Various other extracts were read, couched in similar terms. In a letter, dated Jan. 6, 1823, he says:—"Your incaution has been the means of bringing our affections to a lamentable crisis," &c. —On the same day he writes to the plaintiff in these terms:—

"My Dear Cox—I have been seriously considering the mass of nonsense uttered by us the two last nights

at Salisbury. I must own likewise it has given me great uneasiness. If I have paid more attention to your family than others of my acquaintance the simple motive was to shew the world that I valued my friends as much in adversity as when I shared their hospitality in their prosperity. I am sorry my conduct has been misconstrued, as the inference is unworthy of yourself, me, and a being whose conduct, I am sure, is unimpeachable. To remove all doubts upon the subject, and to counteract the effects of insidious men, I shall beg to withdraw from a friendship rendered unworthy by suspicion. I must be the worst of villains, if I could take that man by the hand while meditating towards him an act of injustice. You do not know me Cox—mine are follies, not vices. It has been my text to do all the good I could in the world, and when I am called to a superior bourne, my memory may be blamed, but not despised. Wishing you and your family every blessing the world can give you, believe me nothing less than

Yours most sincerely,

EDMUND KEAN.

Under date Jan. 9, 1824, he writes her, that if he loses her, his heart will break, &c.

21st Jan. 1824.—This was a letter of remonstrance from Mr. KEAN conceiving that Mrs. Cox had some other object of her affections beside him; those pretty letters which she used to write and which he used to clasp in his arms, kiss with his lips, and sleep with under his pillow, were now changed for mere common place matter of description, &c.

23d Jan. 1824—My darling, darling love, writes to me in affliction, she flies to me for refuge, and my heart, my whole heart is open to receive her; he requests her to keep in secresy too a few months. Whatever money she may want shall be supplied at three hours' notice, and in him she should find a lover husband, father, friend.

A letter, without date or post-mark, addressed "Little Breeches," and signed "Your Lover," was read. It

merely contained a request that she would call upon him immediately, at a place appointed.

ALICE UMBER, servant in the family of the plaintiff for many years, proved the intimacy bstween the defendant and Mrs. COX. In the year 1823, Mr. COX had an accident and broke a rib; whilst Mr. C. was in the country, Mrs. C. gave witness a letter for Mr. KEAN, and one for Mr. C., and said that if he should call before Thursday, she was to tell him that she was gone to some place. Witness afterwards, by her mistress's direction, hired a chaise, saying she was going to Salt-hill; when Mrs. C. came back, she gave witness the letter she had spoken of for Mr. K.; she delivered it, and Mr. K. came about ten or eleven o'clock; she had received orders from Mrs. C. to make up a bed for Mr. K. in the room next the drawing-room; it was a spare room; and which Mr. COX, jun. used to occupy when in town; on going to bed, Mrs. C. told her to look out of the window if there was a knock, to see who it was, and if it was Mr. COX; she exclaimed, "for God's sake don't let me be caught;" however, if Mr. C. should come, witness was to knock at the bed-room door in which Mr. K. slept; on the next morning one of Mr. K.'s dressers came to their house, he brought a note directed to her mistress; witness then knocked at the room door in which Mr. K. was, and Mrs. C. got out of bed, unlocked the door, and took the note; witness then went down by her mistress's orders, to see who had brought it; she did so, and told her mistress; at this period Mr. K. was in bed, and Mrs. C. standing by the bed-side, and had her gown on, but no shoes; witness was present when Mr. COX found the letters, in a cabinet in his own room, and which cabinet belonged to Mrs. C.; this was a long time after the above; it was in Hart-street; it was about one year and a half ago; they were found the day after Mrs. C. had left her home.

The witness underwent a cross-examination by Mr. BARRETT, the counsel for the defendant; she admitted that soon after her master and his wife came to live in town, they used very often to go and see Mr. K. perform; Mr. and Mrs. K. both visited at plaintiff's; Mrs. K. left

off going about four or five years ago, and Mrs. C. declined visiting Mrs. K.; never heard any reason for this secession of visits, but Mr. K. consented to come; plaintiff and his wife frequently after this, went to see Mr. K. perform; Mr. K. never supped afterwards at plaintiff's house, until he went to reside in Wellington-street. Her master, his wife, and Miss WICKSTEAD, used sometimes to go with Mr. K. when he went to perform in the country; and once, about two years ago, when he went to Croydon, witness was sent to call up Mr. K.'s servant; about three o'clock in the morning; can't remember what time Mr. K. came that night to her master's; witness was not in bed; Mr. K. came in his own carriage, and plaintiff, his wife, and Miss WICKSTEAD, started about four o'clock in the morning for Croydon: Mr. K. rode ouside and drove, the other three being inside. The plaintiff came back about seven the same morning, leaving Mrs. C. and Miss W. behind; however, Mr. C. went off the same day, and told witness he was going to Croydon, and brought the others back next morning; Mr. K. came two or three nights after all the family were in bed; when they lived in Wellington-street, and he was let in, but witness does not know by whom; Mrs. C. got up on one of those occasions, and Mr. C. always; can't say whether Mrs. C. went down to Mr. K. that night; Mr. K. came about one or two o'clock, and staid till morning; can't say whether Mrs. C. got up more than once: plaintiff sat up always with Mr. K.

Re-examined by Mr. DENMAN—The cabinet was never locked; plaintiff became a bankrupt about four years ago; Mr. WATMORE was very attentive to Miss WICKSTEAD, and was considered her admirer.—The plaintiff's case here ended.

Mr. SCARLETT addressed the Jury for the defendant. If the object of Mr. COX had been to obtain a separation, he, (Mr. S.) wished he had selected some other individual upon whom a verdict might be attended with less fatal consequences. It was the peculiar situation of Mr. KEAN which created the greatest embarrassment in his (Mr. S.'s) mind as to the manner of conducting his

case. The gentlemen of the Jury could not fail to have observed the skill, the care, and the cunning with which the plaintiff's case had been brought forward, keeping back such testimony as might, perhaps, discover too much, and presenting to the Jury just as much as was barely necessary to make out a case, and no more. How was it that Mr. C. had brought no person to prove the terms on which they lived up to the time of their final separation, from amongst the members of his own family? Then with respect to the letters which had been read in evidence, there was no evidence that one of these letters was ever found there. The fact of Mr. C.'s ordering Mr. COLES to bring actions against two individuals for the same offence, and on the same day, threw a doubt as to what letters were really discovered; and what right had any Jury, sitting upon their oaths, to infer that of which no proof had been adduced. One of the letters was addressed to Mrs. C., and contained a quotation, which was also to be found in one of the other letters; and which letter, he was therefore certain, could not be written by Mr. K. to Mrs. C.; for he had too much literary taste to address the same quotation twice to the same lady. The learned Sergeant had left them in the dark as to when he first discovered his dishonour; but, if he expected to go before the House of Lords, he must ascertain that fact before he could get a divorce from that tribunal. He must prove that he took such measures as would be taken by a husband jealous of the honour of his wife; for there the mere statement of Counsel would be considered far from satisfactory. If he should prove that Mr. WATMORE, who was apparently paying his addresses to Miss WICKSTEAD, was actually intriguing with Mrs. C., he had a sanguine hope that he should receive a verdict at their hands.—It appeared that Mr. K. was in the habit of going to Mr. C.'s house at all hours of the night, or rather morning, and that on one occasion Mr. C. went with him to Croydon, in company with Mrs. C. and Miss W., at an early hour in the morning, and left the two ladies under the protection of Mr. K. They had evidence here, if not of collusion, at least of weakness,

such as he did not think could have been found in any alderman in London. Mr. S. then called the attention of the Jury to the letter in which Mr. K., while offering protection to her, still reserved as sacred his duties to his family. Mr. K. in his most violent professions, never permitted her to suppose that he would neglect his duty to his wife. If the Alderman, notwithstanding the advice of Mrs. KEAN, still frequented the theatre with his wife, to what damages was he entitled? He entreated the most liberal consideration of the Jury in the course he was about to pursue; for he was about to make out a case by calling hostile witnesses. He intended to prove that, long before Mr. COX came to London, he went home one night, and discovered a man in the closet adjoining his wife's bed-room. He caused an interchange of letters, and then, taking his wife away with him, put up tamely with his dishonour. Also that Mrs. C., on another occasion, had left town for Brighton, but he soon after learned she had gone to Birmingham, after Mr. K.; that he sent his son thither, and then Mrs. C. returned, and was received. He (the son) was astonished that she was received on her return; but he is not called on this occasion. Mr. K. was going to Exeter, and as far as Salisbury. Mr. and Mrs. C. accompanied him; that journey cost Mr. K. about 60*l.* and Mr. C. nothing; to close the scene he would state a fact, which if he proved, would entirely destroy Mr. C.'s claim to a verdict. What would the Jury think, if he should prove to them that Mr. and Mrs. C. had been seen walking together very lovingly since the commencement of this action? What, if he could prove that Mr. K. had produced a sum of money and paid his rent for him? What could be inferred from such facts, but that Mr. C. had been in collusion with his wife from beginning to end, in order to get a sum of money, or a divorce. When the gentlemen of the Jury would find the plaintiff going to offer up his wife at the shrine of pollution, and retiring from there to Mr. K.'s box while his wife was in his dressing-room, what damages would they award him? He was entitled to none, if he became the pander to his own dishonour; and none, he was

confident, would be awarded him by a Jury of his country. He had, after all the warnings of Mrs. K., invited Mr. K. to his house, made him sleep there, and has left home the next morning, leaving Mr. K. in bed. It was unnecessary to say more, and therefore he would proceed to prove to them that which he had already stated.

J. NEWMAN, dresser to the defendant at the theatre, proved that Mr. and Mrs. C. were in the habit of visiting defendant in his dressing-room at the theatre; Mrs. C. has been there without Mr. C.; sometimes alone, and sometimes with Miss WICKSTEAD; never saw a servant with them; this was always before the piece began; Mr. K. has on such occasions changed his dress, and they have been present while he stripped to his bare arms and silk drawers which go over his legs, feet, and all; those drawers are meant to represent the flesh when left uncovered, while playing; has been there when Mr. K. has given orders that she could not be admitted, and he has in consequence several times prevented her admission; has seen Mr. and Mrs. C. in Mr. K.'s box, which they usually occupy at the theatre; Mrs. C. used sometimes to be in Mr. K.'s box, sometimes on the stage, and sometimes in Mr. K.'s room; saw Mrs. K. in Mr. K.'s box, and on those occasions there was another box, if they came to the theatre; recollects being called upon to go to Croydon, about three in the morning, but did not go with Mr. K.; followed on the following day, and Mrs. C. was there, as was also Mr. K., but Mr. C. had returned to London; Mr. K. played that night at Croydon; Mrs. C. and Miss W. were at the play; does not recollect seeing the Alderman at Croydon in the evening.

JOHN STUART, private box-keeper at Drury Lane Theatre, remembers Mr. C. coming alone, and asked him if Mrs. C. was coming, and Mr. C. said yes, for she was with Mr. K., or in Mr. K.'s dressing-room; she afterwards came by a passage under the stage to the box in question.

Miss WICKSTEAD, niece to the plaintiff, proved the intimacy between the families—has often gone into Mr.

K.'s box, and also in his dressing-room with her aunt but never recollects her uncle having gone to the dressing-room more than once; has no recollection of a letter with money being given to her for her aunt; recollects a horse being lent to Mrs. C. during Mr. K.'s absence in the country; she never received money from Mr. K. to appropriate to her own uses except for the purposes of going to see him; remembers going to Windsor with her uncle and aunt and Miss TIDSWELL; passed three days there in company with Mr. K.; they then proceeded to Salisbury; witness went in the carriage with Mr. K. and Mrs. C., and Mr. C. went in a post-chaise.—Mr. K. paid all expenses, and lent her uncle 10*l.* to pay the expenses back to London—remembers hearing her uncle joke about pistols, but does not remember any being produced. Has known Mr. K. to come to the house very late at night, but does not recollect her aunt getting up on these occasions. Remembers Sir ROBERT KEMMYS: he was introduced to the family by a cousin of Mrs. C.'s; he was intimate with the family; Mr. C. did not like Mrs. C.'s receiving attentions from Sir R. KEMMYS, and the intimacy was broken off; he invited Mr. C. to his house, and Mr. C. would not go. Has heard her uncle say that he would make Mrs. C. an allowance if she would give up a certain individual; and that person was Mr. WATMORE; he said he would give her what she asked for as an allowance, if she would do so.

By Mr. DENMAN—At the time he made that promise he also said he never would see her again. Mr. WATMORE visited Mrs. C., ostensibly paying his addresses to her; did so for three or four months before they went to Dover; never saw a more affectionate husband than Mr. C., and his affection continued unabated to the last.

JAMES PARKER, a black man, the servant to Mr C. for the last 11 years, was with him at Berkeley Hall on a visit at Sir R. KEMMYS'; had never heard any thing about a lap-dog's barking at night; there were two visits to Sir R. KEMMYS', and he only accompanied them on the first; remembers the discovery of Mrs. C.'s conduct, and Mr. C. immediately left the house; mentioned to his

master some circumstances relative to Mr. WATMORE, and his master told him when he next got a letter to bring it to him; he told him he was then going for one, and he accordingly gave it to him; this was after Mr. C. had left the house, and before he returned to it Mrs. C. had gone away.

DANIEL HARLEY—Knows Mr. and Mrs. C.; saw them last July walking arm in arm in St. Martin's lane.

Cross examined—This was at 11 or 12 o'clock in the day, and they were going towards Charing-cross; she had a veil over her face, but cannot recollect whether it was black or white; met them just by Chandos-street; has seen two ladies at the theatre with Mr. C.; knows it was Mrs. C., because he was constantly in the habit of seeing her; if he ever saw her he saw her then in St. Martin's Lane.—This closed the defendant's case.

Mr. DENMAN, in reply, said, that every circumstance which could even imply a collusion, was directly contradicted by evidence, and more particularly by the letters themselves, by which it appeared that the guilty parties were constantly apprehensive of Mr. C.'s discovering their intimacy; so that from the first to the last, it was a foul calumny to say that he had connived at his own dishonour.

The Lord Chief Justice commented on the evidence in summing up to the Jury, and directed them to two points. First, whether, as alleged by the defendant, the plaintiff had connived at his own dishonour, in which case he would not be entitled to a verdict; the next, whether gross negligence, in not protecting the honour of his wife, did not appear by the evidence, which would, of course, lessen the amount of damages. The plaintiff must have been aware that Mrs. K. had declined her visits to his house by her non-appearance; and certainly the undress of Mr. K. was not such as a virtuous female should wish to see him in. With regard to Sir R. KEMMYS, no criminal connection had been proved, although enough had been shewn to raise a strong suspicion of such a circumstance. In the absence of positive proof, however, the conduct of Mr. C. had been strictly proper with respect to that transaction, and from that they might

infer that he was deceived, and had not connived at his own dishonour; in which inference they would be strongly borne out by the letters which had been read.

The Jury consulted about half an hour, and then returned a verdict for the plaintiff—damages EIGHT HUNDRED POUNDS.

THEATRICAL INQUISITION.

"The common business of life, too intensely pursued, makes men unmindful of precepts, and maxims of virtue, which they are more apt to forget in the eager pursuits of their avocations, than to abandon through want of principle. The Drama awakens them to virtue, exercises all the kinder emotions, and by its influence over the mind and feelings prevents that moral stagnation which so much tends to degrade and brutify." D.

DRURY LANE THEATRE.

Dec. 27.—Pizarro—HARLEQUIN AND THE TALKING BIRD; *or, the Singing Trees and Golden Waters.* [1st time.]

This evening the children and the more grown holiday folks were entertained, as usual at this festive and laughing season of the year, with a new pantomime, and if noisy tongues and clapping hands be indications of satisfaction, there was abundant testimony of its existence manifested by one of as crowded houses we ever witnessed. The play of "*Pizarro*," preceded the pantomime; and as we go to the theatre at these holiday times to join in the merriment and share in the laugh, however produced, we bid a truce to criticism. The story is so well known to all readers of fairy tales, that we shall not take the trouble of analyzing it but proceed at once to a description of the scenery and incidents of the piece itself. In point of effect the *Haunted* Kitchen, painted by HOLLOGAN and ADAMS, was decidedly the

favorite, and drew down many a hearty burst of genuine laughter. This scene merits particular notice. In this enchanted kitchen is given an incantation scene in burlesque of the celebrated one in "*Der Freischütz*." We have at the back, a large Gothic window, an old staircase and antique clock, a cistern, jack-towel, large salt-box, great fire-place, with two tea-kettles, and two saucepans, a circular set of stew stoves in the centre. At the opening of the scene, two cats and a dog are seen lying before the fire, an owl perched before a broken pane of glass, and a magpie in his cage. The *Clown* is seen raising the pot-lids round the stew-stoves, and peeping and tasting the contents; after the chorus the clock strikes twelve—the cuckoo heard between each stroke—at the twelfth, with a large beef-fork, he raises a calf's head out of a large pot—

Samuel, Samuel! appear!

The *Ghost* of a *Cook* rises out of the dripping-pan—the *Clown* stands aghast, peeping over the stew-stove at him. The *Cook* vanishes—the *Clown* fans himself with the saucepan-lid, and one of the stew-holes blazes up; he finds the frying-pan, and makes the requisite preparations; during this *Pantaloon* appears above—the *Clown* beckons to him. The pancakes begin to fry; at last he tosses, and cries—ONE. The magpie flies out of the cage—the kitchen fire lights up—the tea-kettles boil over—the cook-maid enters, but is knocked down by a blow with the rolling-pin—TWO. The pendulum of the clock is agitated—the dishes dance on the shelves—all the stew-stoves light up, and a tin meat-screen, followed by a sirloin of beef well spitted, walk across the stage. The copper-lid flies up, and a leg of mutton dances up, accompanied by carrots and turnips—also, the ghost of a chamber-maid passes with a pan of hot coals, preceded by six lighted chamber candlesticks—THREE. A rat hunt takes place upon the upper shelf—the salt-box lid moves violently. Two fowling-pieces, hung against the wall, go off—plates and dishes fall—watchmen appear at the window and spring rattles. The jack-towel moves violently—the ghost of a coachman on a clothes-

horse drives across. The *Cook* appears in a dripping pan—the whole kitchen is in motion—and a general uproar ends the scene!

In the course of the piece we are delighted with a very fine sea view, while we are, at the same time, amused with some of the tricks of the *Clown* and his comrades. The quiz against the size of the hairy caps of the Guards had no point, and failed; and the pickpockets at the Lord Mayor's Show did not deserve much booty, from their evident want of skill in their adventurous vocation. The omission of both those scenes, and that of the arrival of the rocket coach, might also be advantageous; although we must confess there was something ludicrous in the rocket seizing on the dickey behind the coach, and twirling *Clown* and *Pantaloon* in the midst of the fires which the rocket emitted. The procession of the glass-blowers might share a similar fate. The panoramic view was good; and the transformation of a few old houses into the premises of the Steam-washing Company, was amongst the best hits of the mechanical department of the piece. *Auld Riekie*, a scene by STANFIELD, was a fine specimen, and some of our Edinburgh friends, who sat near us, recognized the Calton Hill, and the Tron Church, and part of the New Town of Edinburgh, with earnest feelings of delight. Some of the scenes are admirable specimens of art—we would particularly notice the first and last scenes. Master EDMONDS was deservedly encored in a very pretty Scotch air, and the curtain fell amidst general applause. The machinery was well worked, considering it was the first representation of the piece, and having undergone few necessary curtailments, it has become a great favorite with the public.

In consequence of the extensive review of the two interesting trials which we have given in our present number, we are under the necessity of postponing the remainder of our *Theatrical Inquisition* until our next number; we shall therefore merely present our readers with an account of

MR. KEAN'S RECEPTION.

Jan. 24.—This evening the *audience*, or more properly speaking, the *spectators*, were presented with rather a novel entertainment—the pantomimic representation of the great historical tragedy of our immortal bard. Mr. KEAN resumed the exercise of the arduous duties of his profession this night in the part of *Richard the Third*, for the first time since the late verdict against him. Upon the announcement of his appearance, after the short interval of a few days since the finding such verdict, much displeasure was excited, and disapprobation was expressed by those who would not, and who could not, be influenced either by personal dislike, or by any affected fastidiousness on the score of morality. As a necessary consequence, therefore, of such a formidable coincidence of public opinion, much opposition was anticipated? and the result of this performer's speedy, or perhaps premature appearance, has amply verified this opinion. From an early hour the various entrances to the theatre were blocked up by anxious crowds, and when the doors were opened, a scene of more than personal inconvenience—-of actual peril, was exhibited. The struggle for admission, though violent, was, however, short; and those who failed in their first efforts, retired exhausted and relinquished the field to those who were more muscular, or more persevering in their attempts. The rush was, of course, violent in the extreme, and the house was filled upon the instant. The theatre, though now crowded to the extreme, exhibited no symptom of displeasure or discontent; the overture was performed and listened to with the tranquillity usual upon ordinary occasions. The curtain drew up, and then the smothered tumult broke out generally and simultaneously through the entire house. The first scenes of "*Richard the Third*," were performed in dumb show. The performers, we are sure, acquitted themselves with propriety; they delivered, we make no doubt, the parts set down for them with sound emphasis and good discretion, but not a word could be heard. The actors, however, persevered with a laudable firmness in the apparent recital of their characters, and the crowd was

equally persevering in their outcries and their clamour. The language of SHAKSPEARE was inaudible, and in its place was vociferated, "Off, off! KEAN, KEAN!" The clamour continued without interruption until the appearance of *Richard* himself, when it was, if possible, redoubled. Mr. KEAN was visibly dejected upon his entrance, and the reception he met with was such as could not diminish that dejection, or inspire him with anything like a hope of conciliating the assemblage before him. Exclamations of "Shame, shame!" Off, off!" were heard upon all sides, mingled, however, with great approbation, and expressions of encouragement.

"And some ten voices cried, 'God save King Richard!'"

His attempts to recite the character, of which he is the best, perhaps the only living, personification, were utterly fruitless; all his efforts were drowned in the incessant tumult that was raised around him. He was doomed to perform that character, the delineation of which raised him to reputation and to fame, in ignominious silence. The music of that voice, upon which attention dwelt delighted—the magic of that eye, which rendered the faculty of speech almost superfluous—were exercised in vain; they were unheeded and contemned: the charm that fascinated, the spell that bound him to his audience, seemed dissolved for ever. Nor was the public indignation confined to him alone: it was vented with impartial fury upon all his brethren of the night. The martial appearance of Mr. WALLACK, as *Richmond*, could not save him from contumely and insult. The innocent young Princes, who could never have offended (except, perhaps, upon the stage), were treated with the same implacable resentment; they found the audience as hostile as their merciless uncle. At one period we thought we perceived a relenting spirit; we thought the interesting appearance of our favourite, Mrs. WEST, had allayed the storm; but our hopes were disappointed,—the tumult was to cease only with the performance itself. During the latter scenes, in which he appears the soldier and the king, and in which his genius shone with such brilliancy, Mr. KEAN appeared to us to redouble his efforts for the purpose of procuring a hearing, but he completely

failed. This pantomine (for such of course it was) was here eminently beautiful. Those parts of the play which called down the particular (if we could make any distinction) reprobation of the audience, were the courtship scenes. That of the funeral seemed to excite particular antipathy; it was, in truth, the most melancholy funeral we ever witnessed upon the stage. The scenes in which the Aldermen of London make their appearance seemed also to raise various associations in the minds of the spectators. We mention the representation of these incidents as if they produced greater ebullitions of dissatisfaction; though, to say the truth, the displeasure exhibited by a most crowded assemblage was so great and so systematic throughout, that it is impossible to affirm where it did increase or where it reached its climax. And thus it has been our painful duty to record the weight of public odium which has fallen intensely (though we venture to believe it will not rest permanently) upon the head of the ablest performer since the time of GARRICK. When the curtain fell, Mr. WALLACK made his appearance to announce something, we know not what; his lips moved as if he were speaking, but he was driven from the stage amidst a scene of tumult and confusion.

COVENT GARDEN THEATRE.

Dec. 27.—*George Barnwell*—HARLEQUIN AND THE DRAGON OF WANTLEY; *or More of More Hall* [1st time].

This pantomime is (we believe) the production of young GRIMALDI, at least he appears to have been the arranger of the piece. It was rather coldly received. The little dialogue that there is, is destitute of a good joke, and the music and singing are of the ordinary common-place merit of productions of this description. The scenery sustained rather than enhanced the character of this house for its admitted superiority in this important department of dramatic illusion; although it

has of late had a powerful rival to contend with. The plot is so childish that it is not worth rehearsing:—*More*, destroys the *Dragon*, who is an instrument in the hands of *Sulphur-ball*, a spirit of air, who holds a malignant war with *Chrystillo*, a spirit of the waters; the latter triumphs, and the *Dragon* becoming *Clown*; *More*, *Harlequin*; &c. the usual routine commences.

It has been said by a critic of some eminence, "that young GRIMALDI and his father are as like each other as two peas:" we own we are not quite of this opinion; certainly much of the elasticity of limb, and of spirit, that distinguished the father also marks the performances of the son; but that versatile invention of tricks and irresistible *vis comica* of countenance which made old GRIMALDI the first of favorites in this species of performance was altogether his own: it was peculiar and unrivalled. There was little of variety in his tricks, and many of them were failures. His quick journey from York to London, and his steam apparatus for travelling, were perhaps the newest and the best. The new *Columbine*, Miss ROMER, is pretty and sprightly; she dances in a graceful and well-executed style; her figure is slender, and she is scarcely equal to the fatigue of three or four hours perpetual dancing. The best scene (a truly admirable one) was the grand sailing-match, by the Harlequin, the Spitfire, the St. George, and the Don Giovanni, for the Cumberland Cup, represented in a moving panorama commencing at Blackfriars-bridge, passing through the other bridges, and showing the intended alterations of the grand promenade on the banks of the Thames. Epsom Race-course was ridiculously represented by an ill-dressed mob and a few lazy donkeys. There was a very correct representation, however, of Blackfriars-bridge Macadamizing.—The house was extremely full, and the announcement for repetition was not received with very marked approbation. Since the first night some of the "stale, flat, and unprofitable" tricks have been curtailed, and some attempted illusions (which were so glaring as to be no illusions at all,) have been expunged, and the piece has been nightly performed with considerable success.